

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

DEC 03 1984

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

DEC 03 1984

Map filed

The applicant Donald W. Miller, Sr.

P.O. Box 51, of Baker, Nevada 89311

Street and No. or P.O. Box No.

City or Town

State and Zip Code No.

, hereby make S application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Sources
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated:

(b) Stockwater, state number and kinds of animals to be watered:

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: in the NE 1/4 NW 1/4 of Section 29, T. 20 N., R. 63 E., M. D. B. & M. whence the Southwest Corner of Section 32, T. 20 N., R. 63 E., M. D. B. & M. bears S. 11° 31' W., 10.210.00 feet distant.

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

20 N., R. 63 E., M. D. B. & M. bears S. 11° 31' W., 10.210.00 feet distant.

6. Place of use NE 1/4 NW 1/4 of Section 29, T. 20 N., R. 63 E., M. D. B. & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be pumped from a drilled well through portable pipelines to proposed place of use.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$20,000.00

10. Estimated time required to construct works 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The water is to be used for the applicant's milling purposes of approximately
300 tons of ore per day and the water will be recycled through settling ponds
for an annual consumptive use of 54 million gallons.

Compared.....js/ jm..... js/ bc.....

By s/Richard W. Forman
Richard W. Forman Agent
P.O. Box 150
Ely, Nevada 89301

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 36 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 15, 1987

Proof of completion of work shall be filed before June 15, 1987

Application of water to beneficial use shall be made on or before May 15, 1990

Proof of the application of water to beneficial use shall be filed on or before June 15, 1990

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this 15th day of May.....

Certificate No..... Issued..... A.D. 1985

CANCELLED SEP 12 1994 BECAUSE OF FAILURE

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Michael J. Thompson STATE ENGINEER

State Engineer

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

